

Senate Bill 169

By: Senators Mullis of the 53rd, Bowen of the 13th, Price of the 56th, Johnson of the 1st, Cagle of the 49th and others

**AS PASSED SENATE**

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 25 of the Official Code of Georgia Annotated, relating to fire protection and  
2 safety, so as to change certain provisions relating to general requirements, equipment and  
3 clothing, personnel, and insurance relative to fire departments; to change certain provisions  
4 relating to suspension or revocation of certificate of compliance; to change certain provisions  
5 relating to definitions relative to firefighter standards and training; to change certain  
6 provisions relating to the Georgia Firefighter Standards and Training Council; to provide for  
7 an executive director of the Georgia Firefighter Standards and Training Council; to change  
8 certain provisions relating to a basic firefighter training course and transfer of certification;  
9 to change certain provisions relating to mandatory annual training; to provide an effective  
10 date; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety, is  
14 amended by striking Code Section 25-3-23, relating to general requirements, equipment and  
15 clothing, personnel, and insurance relative to fire departments, and inserting in lieu thereof  
16 the following:

17 "25-3-23.

18 (a) Except as otherwise provided in subsection (d) of this Code section, in order to be  
19 legally organized:

20 (1) A fire department shall comply with the following requirements:

21 (A) Be established ~~in accordance with the provisions of the National Fire Protection~~  
22 ~~Association Standard 1201~~ to provide fire and other emergency and nonemergency  
23 services in accordance with standards specified solely by the Georgia Firefighter  
24 Standards and Training Council and the applicable local government;

25 (B) Be capable of providing fire protection 24 hours a day, ~~seven days a week~~ 365 days  
26 per year;

1 (C) Be responsible for a defined area of operations depicted on a map located at the fire  
2 station; and

3 (D) Be staffed with a sufficient number of ~~qualified firefighters who are full-time, part~~  
4 ~~time, or volunteers and who shall have successfully completed an approved basic~~  
5 ~~fire-fighting course conducted by or through the Georgia Fire Academy~~ full-time,  
6 part-time, or volunteer firefighters who have successfully completed basic firefighter  
7 training as specified by the Georgia Firefighter Standards and Training Council; and

8 (2) A fire department shall possess the following items of approved equipment and  
9 protective clothing:

10 (A) A minimum of one fully equipped, operable pumper with a capacity of at least ~~100~~  
11 750 GPM at ~~120~~ 150 PSI and a tank capacity of a minimum of 250 gallons; provided,  
12 however, a ~~minimum of one fully equipped, operable, and approved pumper of at least~~  
13 ~~750 GPM capacity is recommended~~ that previously approved fire apparatus which does  
14 not meet such minimum standards shall not be obsolete for service until replaced by the  
15 local authority;

16 (B) A minimum of equipment, appliances, adapters, and accessories necessary to  
17 perform and carry out the duties and responsibilities of a fire department set forth in  
18 Code Sections 25-3-1 and 25-3-2 as approved by the Georgia Firefighter Standards and  
19 Training Council;

20 (C) A minimum of two approved self-contained breathing apparatus for each pumping  
21 apparatus as approved by the Georgia Firefighter Standards and Training Council; and

22 (D) A minimum issue of sufficient personal protective clothing to permit each member  
23 to perform safely the duties of a firefighter.

24 ~~(b) A minimum of 15 firefighters for each fire department is recommended; however,~~  
25 ~~departments existing on or before July 1, 1984, shall be exempt from this recommendation.~~

26 ~~(e)~~(b) A legally organized fire department shall purchase and maintain sufficient insurance  
27 coverage on each member of the fire department to pay claims for injuries sustained en  
28 route to, during, and returning from fire calls or other emergencies and disasters and  
29 scheduled training sessions.

30 ~~(d)~~(c) On and after July 1, 1998, the Georgia Firefighter Standards and Training Council  
31 shall be authorized, by rules and regulations, to establish and modify minimum  
32 requirements for all fire departments operating in this state, provided that such  
33 requirements are equal to or exceed the requirements provided in subsections ~~(a), (b),~~  
34 ~~and (c)~~ (a) and (b) of this Code section."



1 property, or the environment is at risk, which may include without limitation fire  
 2 suppression; fire prevention activities; emergency medical services; hazardous materials  
 3 response and preparedness; technical rescue operations; search and rescue; disaster  
 4 management and preparedness; community service activities; response to civil  
 5 disturbances and terrorism incidents; nonemergency functions including training,  
 6 preplanning, communications, maintenance, and physical conditioning; and other related  
 7 emergency and nonemergency duties as may be assigned or required; provided, however,  
 8 that a firefighter's assignments may vary based on geographic, climatic, and demographic  
 9 conditions or other factors including training, experience, and ability.

10 (5) 'Full-time' means employed for compensation on a basis of at least 40 hours per week  
 11 by any municipal, county, state, or private incorporated fire department.

12 (6) 'Part-time' means employed for compensation on less than a full-time basis by any  
 13 municipal, county, state, or private incorporated fire department.

14 (7) 'Volunteer' means not employed for compensation by but appointed and regularly  
 15 enrolled to serve as a firefighter for any municipal, county, state, or private incorporated  
 16 fire department."

#### 17 **SECTION 4.**

18 Said title is further amended by striking Code Section 25-4-7, relating to the Georgia  
 19 Firefighter Standards and Training Council, and inserting in lieu thereof the following:

20 "25-4-7.

21 The council is vested with the following functions and powers:

- 22 (1) To promulgate rules and regulations for the administration of the council;
- 23 (2) To provide rules of procedure for its internal management and control;
- 24 (3) To enter into contracts or do such things as may be necessary and incidental to the  
 25 administration of its authority pursuant to this chapter;
- 26 (4) To establish uniform minimum standards for the employment and training of  
 27 full-time, part-time, or volunteer firefighters, fire and life safety educators, fire inspectors,  
 28 and fire investigators, including qualifications and requirements, which are consistent  
 29 with this chapter;
- 30 (5) To establish minimum curriculum requirements for schools operated by or for any  
 31 employing agency for the specific purpose of training firefighter recruits or full-time,  
 32 part-time, or volunteer firefighters, fire and life safety educators, fire inspectors, and fire  
 33 investigators;
- 34 (6) To approve institutions and facilities for school operation by or for any employing  
 35 agency for the specific purpose of training firefighters and firefighter recruits;

1 (7) To make or support studies on any aspect of fire-fighting education and training or  
2 recruitment;

3 (8) To make recommendations concerning any matter within its purview;

4 (9) ~~To establish a firefighter recruit training program administered by such agencies and~~  
5 ~~institutions as it approves and to issue or authorize the issuance of a certificate of~~  
6 ~~completion to any person satisfactorily completing the training program~~ To establish  
7 basic firefighter training requirements for full-time, part-time, and volunteer firefighters;

8 (10) ~~To issue a certificate of compliance to~~ certify any person satisfactorily complying  
9 with the training program established in accordance with paragraph (9) of this Code  
10 section and the qualifications for employment covered in this chapter; and

11 (11) ~~To issue, at its discretion,~~ a certificate to any person who has received training in  
12 another state, when the council has determined that the training was at least equivalent  
13 to that required by the council for approved firefighter education and training programs  
14 in this state and when the person has satisfactorily complied with all other requirements  
15 of this chapter."

#### 16 SECTION 5.

17 Said title is further amended by adding a new Code Section 25-4-7.1 to read as follows:

18 "25-4-7.1.

19 (a) The council shall appoint and establish the compensation of an executive director who  
20 shall serve at the pleasure of the council.

21 (b) The executive director may contract for such services and employ such other  
22 professional, technical, and clerical personnel as may be necessary and convenient to carry  
23 out the purposes of this chapter."

#### 24 SECTION 6.

25 Said title is further amended by striking Code Section 25-4-9, relating to a basic firefighter  
26 training course and transfer of certification, and inserting in lieu thereof the following:

27 "25-4-9.

28 (a) ~~In addition to complying with the preemployment standards as set forth in Code~~  
29 ~~Section 25-4-8, each and every candidate, within 12 months after being appointed as a~~  
30 ~~full-time paid member of any fire department or fire division of any department of public~~  
31 ~~safety which employs three or more firefighters, shall specifically complete at least a basic~~  
32 ~~training course of 120 hours of instruction. The council shall determine the courses, the~~  
33 ~~number of hours per course, and all matters relative to the basic training course. Upon~~  
34 ~~satisfactory completion of the course, a firefighter shall receive a certificate from the~~  
35 ~~council evidencing his satisfactory completion of the minimum standards of the training~~

1 ~~program.~~ Full-time, part-time, and volunteer firefighters shall successfully complete a  
 2 basic training course. The council shall determine the course content, number of hours, and  
 3 all other matters relative to basic firefighter training. Upon satisfactory completion of such  
 4 basic training, a firefighter shall be issued a certificate of completion evidencing the same.  
 5 Each firefighter shall be required to successfully complete such basic training course within  
 6 12 months after being employed or appointed as a firefighter.

7 (b) A firefighter certified by the council may, upon termination of employment from any  
 8 fire department and upon agreement with a subsequently employing fire department,  
 9 transfer such certification to the employing fire department.

10 (c) Notwithstanding the provisions of subsection (b) of this Code section, any local fire  
 11 department may refuse to accept the transfer of previously acquired certification and may  
 12 require any newly employed firefighter to complete the basic training course provided for  
 13 in subsection (a) of this Code section."

#### 14 **SECTION 7.**

15 Said title is further amended by striking Code Section 25-4-10, relating to mandatory annual  
 16 training, and inserting in lieu thereof the following:

17 "25-4-10.

18 As a condition of ~~tenure or continued employment~~ certification, all firefighters shall train,  
 19 drill, or study ~~at least 120 clock hours in each calendar year~~ at schools, classes, or courses  
 20 at the local, area, or state level, as ~~provided~~ specified by the council. Authorized leaves of  
 21 absence are expected."

#### 22 **SECTION 8.**

23 This Act shall become effective on July 1, 2004.

#### 24 **SECTION 9.**

25 All laws and parts of laws in conflict with this Act are repealed.